



Insurance Institute of Michigan

May 17, 2012

The Honorable Rick Jones
Chair, Judiciary Committee
Michigan Senate
Lansing, Michigan 48909

Dear Chairman Jones:

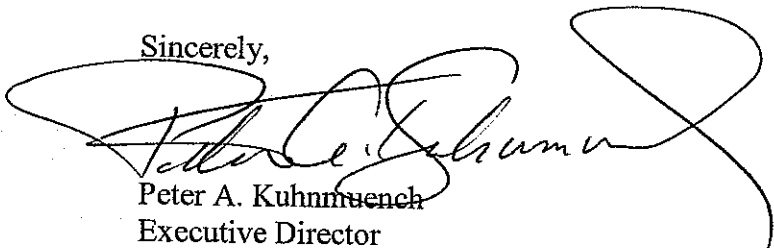
On behalf of the members of the Insurance Institute of Michigan, I write to express our strong opposition to Senate Bill 94 creating a statutory presumption that certain types of cancers found in firefighters are job related and therefore eligible for worker's compensation benefits.

Our concerns are similar to those expressed by others, and include the following:

- Senate Bill 94 erodes the basic principle of our workers' compensation system by creating a preference for a class of employees and shifting the burden of proof to the employer that the injury was not work related;
- Senate Bill 94 goes so far as to provide that evidence of a pre-existing condition is insufficient to overcome the presumption;
- Workers' compensation benefit determinations should be made on a case-by-case basis, not by state or federally mandated presumptions;
- Eligibility should be based upon injuries that result out of, and in the course of employment;
- Senate Bill 94 opens the door for a host of other professions where classes of employees are exposed to various chemicals in the course of employment;
- Senate Bill 94 will increase workers' compensation rates and may even lessen availability of coverage.

In light of the above concerns, we ask that you vote No on Senate Bill 94. Thank you in advance for your attention to this matter. Please let me know if you have any questions or comments.

Sincerely,



Peter A. Kuhnmuensch
Executive Director

cc: Members, Senate Judiciary Committee